

Appl. No.: 10/723,079
Amdt. Dated: 03/27/2006
Off. Act. Dated: 12/27/2005

REMARKS/ARGUMENTS

Reconsideration of this application is respectfully requested in view of the foregoing amendments and discussion presented herein.

1. Rejection of Claims 1-16, 19-21, 27, 40-49, 53, 54 and 59-62 under 35 U.S.C. § 103(a).

Claims 1-16, 19-21, 27, 40-49, 53, 54 and 59-62 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Edson (U.S. Pat. No. 6,526,581) in view of Streck et al. (U.S. Pat. No. 5,045,948).

After carefully considering the grounds for rejection, the Applicant respectfully submits that the grounds for rejection appear to suffer from a number of shortcomings, including that the cited combination of references does not teach all of the claim limitations of any rejected claim, the rejection is based on a similarity of concept only, different operating objects and operating principles apply, the cited combination renders the technology in the underlying references unsuitable for their intended purpose, the grounds for obviousness are improperly based on hindsight, as well as others.

In this regard, the Applicant notes that the cited references of Edson and Streck are directed to different objects and operating principles than the invention recited in the Applicant's claims, and that numerous shortcomings exist that militate against the propriety and workability of the proposed combination. For example:

(a) Claim 1. Claim 1 is an independent claim describing *"an apparatus for controlling video and audio components distributed over a power-line communications (PLC) network"*.

The proposed combination of Edson and Streck does not teach all of the limitations of Claim 1, nor suggest or provide motivation or incentive for what is claimed. Nor does the Streck reference provide the necessary suggestion or incentive to support the combination.

The Edson reference discloses a server acting as a gateway operating on a combination network with a power line network branch and a twisted pair network

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branch. Signals can be passed from one network device to another network device over the network, ...as is indeed the intent of network connectivity. The gateway can receive or send source material via wired or wireless connections. No discussion, teaching, suggestion, or motivation is provided by Edson for any network devices coupled to the gateway to pass commands received from a remote control device through itself onto the network in response to recognizing that the command does not match commands specific to that network device. Even the Examiner admits to the shortcomings of the Edson reference.

The Examiner then introduces the Streck reference as providing the teachings that Edson lacks. However, the Applicant respectfully asserts that the combination fails to meet the limitations of the claims; the combination is also unworkable, and grounds are lacking for proposing the combination in the first place.

Reference Does NOT Teach All Claim Limitations

The limitations of Claim 1 are not met by the combination of Edson and Streck. The relied-upon section of Streck is directed at rebroadcasting all commands received from a remote control unit into an RF output. Streck does not teach the use of a network server. The signals received from remote control unit 32, in Fig. 10, of Streck are not received by the television but by a detector 66 coupled to an RF transmitter 64. All the signals received from the remote control 32 are then transmitted by remote control transmitter 64 for receipt by all units, while a receiver 54 on all units receives the same signal and downconverts it in down converter 56 for receipt by television 20. It is clear that the signal is not "*routed through the first media device*", and that this routing is not in response to "*recognizing that said command does not match commands specific to the first media device*", as required according to the limitations of Claim 1.

Furthermore, these limitations are also not met by the system illustrated in FIG. 11 of Streck in which the wireless transmitter and receiver are depicted as contained within a single unit 76, because there is still no means described for rerouting commands in response to recognizing that the commands do not match commands

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specific to said first media device. It is important to this understanding to appreciate that Streck is addressing a simple RF signal-repeater type of system and not a server based network system.

In support of the rejection of the recognition and rerouting aspects recited in Claim 1, Examiner refers to the discussion found in column 9, line 34 through column 10, line 15 of Streck. However, this relied upon section discusses incorporating sets of buttons on the remote control device for each of the devices to be controlled and that each device only responds to its own commands, specifically: "...include[s] logic to recognize only those control signals applicable to the particular functions being controlled in that device" (see column 9, lines 52-55). However, the process of recognizing and responding to its own functions is an inherent aspect of conventional remotely controlled device operation.

The teaching of Streck does not provide support for the command rerouting within the device as discussed in Applicant's Claim 1, wherein the combination of Streck with Edson does not remedy the shortcomings of that reference.

Rejection Based on Similarity of Concept

The Applicant respectfully submits that support for the rejection of Claim 1 has been built at a conceptual level. It is well understood that patent protection is obtained in reference to descriptions of specific embodiments, not generalized concepts. Therefore, the putting forth of rejections based on what the Examiner opines to be a similar generalized concept is immaterial to a finding of obviousness. Proper support for an obviousness rejection is based on the specific embodiment of those general concepts. For instance, there exists a number of multi-blade shaving razors on the market each having a patent on its own patentably distinct elements directed toward the same inventive concept. This argument is aptly put forth by the Administrative Patent Judge in Appeal No. 96-0651 of Application No. 08/087,1641, heard February 11, 1999.

"Merely because two systems perform the same or a similar function does not, per se, make those systems patentably indistinct. For example, a quill and ink, a

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ballpoint pen and an electronic word processor may all perform the same function, i.e., the writing of a document, but, clearly, they do not perform the same function in the same manner."

Strech teaches a system for rebroadcasting wireless signals to multiple television sets. Fig. 10 and column 6, lines 24-28 of Strech are put forth in support of the combination. However, this section of the reference only describes the general concept of controlling remote devices using a remote control. It should be noted that Figures 1, 2, 3, 4, 5, and 6 of Strech also illustrate this general concept.

If the criterion for deciding patentability were based on general concepts, and not on the specific limitations of the claim (as required), then the Strech reference itself would not have been patentable over the prior art taught in its Figures 1-6.

Different Operating Objects and Operating Principles

It should be recognized that Strech and Edson are directed to different objects and operate according to different operating principles. Specifically, Edson is directed at controlling devices on a wired home network utilizing a gateway and employing an open architecture. Referring to column 2, line 64 through column 3, line 8, Edson discusses the objects of providing an in-home network in which all devices selectively access any or all external communication resources. Strech, by contrast, is directed at broadcasting a wireless RF transmission of any signal received by a television device, such as described in column 3, lines 22-25.

The references are directed to different objects than addressed by the teachings of the instant application. The claimed embodiments of the instant application solve a different problem in a new way than what is recited by the relied-upon references. In paragraph [0014] one of these objects is given as: *"In general, the system allows rerouting of remote control signals, such as from an infrared (IR) remote control transmitter to a server connected over the PLC network."* It can be seen from FIG. 1 and the associated text for FIG. 1, as well as elsewhere within the instant application, that commands from remote control transmitter 32 are selectively routed to a number of

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different device types coupled over the network. The instant application thus teaches a new principle of operation.

In view of the above, it should be recognized that the proposed combination with Streck would require altogether changing the operating principles of the Edson reference, which is a further indication that the proposed modification would not have been obvious in light of the reference teachings. See *In re Ratti*, 270 F.2d 810, 813, 123 USPQ 349, 352 (CCPA 1959).

MPEP 2143.01A:

"THE PROPOSED MODIFICATION CANNOT CHANGE THE PRINCIPLE OF OPERATION OF A REFERENCE If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious. *In re Ratti*, 270 F.2d 810, 123 USPQ 349 (CCPA 1959)"

Combination Renders Reference Unsuitable for Intended Purpose

Considering the above, it is even more problematic that the cited combination controverts the network server nature of the Edson reference. Consequently, advancing such a combination would render the Edson reference unsuitable for its intended purpose.

MPEP 2143.01: "THE PROPOSED MODIFICATION CANNOT RENDER THE PRIOR ART UNSATISFACTORY FOR ITS INTENDED PURPOSE."

It is only proper to advance a combination based on specific inventive embodiments of a reference and not an opinion about a generalized concept (i.e., distilling down to a jist or thrust) that is supposedly similar. Accordingly, adoption of the divergent objects and operating principles of Streck within Edson would create a combination which is unworkable in view of the objects and operating principles for which Edson is directed, these facts further militating against the combination of these references.

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Obviousness can NOT be Established by Hindsight

As properly pointed out by the Examiner, there no teaching in the Edson reference for the rerouting of select commands received from a wireless remote control in response to recognizing that said command does not match commands specific to the device. It should be quickly recognized in view of the previous discussions that there also exists no such teaching within the Streck reference, which only provides for indiscriminately broadcasting an RF counterpart for the signal stream received from the remote control.

Based on these numerous shortcomings of the cited references, the Applicant asserts that a lack of evidence has been put forth to support proposing the combination (as well as its viability), wherein the only remaining rationale for the combination stems from hindsight in view of the Applicant's own teachings.

"Obviousness may not be established using hindsight or in view of the teachings or suggestions of the inventor." Para-Ordnance Mfg. Inc. v. SGS Importers Int'l Inc., 73 F.3d 1085, 1087, 37 USPQ2d 1237, 1239 (Fed. Cir. 1995), cert. denied, 519 U.S. 822 (1996)(citing W.L. Gore & Assocs., Inc. v. Garlock, Inc., 721 F.2d 1540, 1551, 1553, 220 USPQ 303, 311, 312-13 (Fed. Cir. 1983), cert. denied, 469 U.S. 851 (1984)).

Lack of Specificity in Suggestion to Modify Reference

A notable lack of specificity exists in the support provided for the combination, wherein the Applicant is unable to determine the details on how the elements within the Streck reference would be physically removed from that reference and combined with the Edson reference. All that is provided in supporting the rejection are generalized notions of similarities in concept without specific teachings regarding the embodiments or specifics on how to create the claimed invention from those embodiments. When a lack of specificity exists in the suggestions to modify a reference then the Examiner has failed to make out a *prima facie* showing of obviousness.

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It is well founded that specific evidence for making a proposed combination is required. For example, referring to the outcome of appeal No. 2000-1201 for Application No. 08/817,825 (Page 6 - 7).

"The range of sources available, however, does not diminish the requirement for actual evidence. That is, the showing must be clear and particular. See, e.g., *C.R. Bard*, 157 F.3d at 1352, 48 USPQ2d at 1232. **Broad conclusory statements regarding the teaching of multiple references, standing alone, are not 'evidence.'**" *Id.* at 999, 50 USPQ2d at 1617 (citing *McElmurry v. Arkansas Power & Light Co.*, 995 F.2d 1576, 1578, 27 USPQ2d 1129, 1131 (Fed. Cir. 1993); *In re Sichert*, 566 F.2d 1154, 1164, 196 USPQ 209, 217 (CCPA 1977)). (*emphasis added*)

Invention Not Considered as a Whole

The Applicant's invention must be viewed as a whole. it is improper to dissect the claims or to generalize it as a concept and then cite references in an attempt to illustrate these disparate dissected elements or generalized concepts where no reference suggests the combination.

MPEP 2141.02: "THE CLAIMED INVENTION AS A WHOLE MUST BE CONSIDERED. In determining the differences between the prior art and the claims, the question under 35 U.S.C. 103 is not whether the differences themselves would have been obvious, but whether the claimed invention as a whole would have been obvious. *Stratoflex, Inc. v. Aeroquip Corp.* 713 F.2d 1530, 218 USPQ 871 (Fed. Cir. 1983); *Schenck v. Nortron Corp.*, 713 F.2d 782, 218 USPQ 698 (Fed. Cir. 1983)"

No Prima Facie Case of Obviousness Established

The Applicant respectfully submits that a *Prima Facie* case of obviousness has not been made out for the rejection of Claim 1. Referring to MPEP 706.02(j): Contents of a 35 U.S.C. 103 Rejection:

"To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art

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reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). See MPEP § 2143 - §2143.03 for decisions pertinent to each of these criteria."

There is no suggestion or motivation found within the references or as would be known to one of ordinary skill in the art, nor are all the claim limitations taught or suggested by the references. Accordingly, Applicant submits that a *prima facie* case of obviousness has not been established.

Claims Patentable over Reference

It should be recognized that any one of the above shortcomings is sufficient to traverse the grounds for rejection, while the presence of a number of such shortcomings provide unequivocal evidence of patentability.

Therefore, Applicant respectfully requests that the rejection of Claim 1, and the claims which depend therefrom, be withdrawn.

(b) Claim 2. Claim 2 is an independent claim describing "*an apparatus for controlling video and audio components distributed over a power-line communications (PLC) network*". This claim is cast in a computer device form and not in the mean-plus-function arrangement of Claim 1.

Claim 2 is rejected along similar lines as Claim 1, and similarly, the admission of a lack of support by Edson for "*interpreting a command code received from a wireless remote control device; recognizing that the command code does not match commands specific to said media device; and rerouting said command by passing said command through said power-line communications (PLC) interface to said server which is configured for controlling the operation of a second media device connected over said power-line communications (PLC) network*". Toward correcting this shortcoming, a combination with Streck is proposed.

A number of intractable problems exist with the proposed combination of

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references used in support of the rejection. These problems have been addressed at length in Claim 1, and are discussed as follows with regard to the above independent claim.

NOT all Claim Limitations are Taught by the Combination

The proposed combination of Edson and Streck does not meet all the limitations of Claim 2. In particular, the lack of teaching within Edson for "*interpreting a command code received from a wireless remote control ...recognizing that the command code does not match commands specific to said media device ...and rerouting said command*" is not overcome by the Streck reference, which has no teaching relating to rerouting of commands that are recognized as not matching the specific media device. As plainly shown and described by Streck, all commands received from the remote control are retransmitted as RF. Streck describes only that each device responds (recognizes) to its own set of commands, which is inherent to conventional devices operated by remote control. As already discussed in relation to Claim 1, both FIG. 10 and 11 of Streck depict signals from decoder 66 being converted to RF at transmitter 64. The commands are received the same by all devices, that is RF is received by receiver 54 and down converted by down converter 56 prior to receipt by TV 20. Therefore, ALL commands are retransmitted by Streck, not a select portion, and clearly not a portion of the commands in response to matching the specific media device.

Other Shortcomings of the Rejection

Furthermore, Streck cannot be properly combined with the Edson reference for a number of reasons. First, the Streck reference is not compatible with a network server arrangement as recited in the claims, or associated with a power line communications interface. Second, the proposal to modify Edson by Streck is based on a generalized concept put forth by the Examiner about the teachings of the instant application, and not in relation to the specific embodiments described in the cited references. An opinion about a general concept, which is supposedly present within Streck, is being put forth in the proposed combination. However, actually combining Streck with Edson

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would necessitate swapping the server aspects of Edson with an external RF retransmission mechanism of Streck as there are no other embodied aspects of Streck to be combined. Third, the Streck and Edson reference are directed at different objects and operating principles. Fourth, combining Streck with Edson would alter the objects and operating principles of the Edson reference and render the Edson reference unsuited for its intended purpose. Fifth, the only teaching or suggestion for making the combination appears to come from the instant application itself based on hindsight.

A suggestion or motivation is lacking from the references for making the proposed combination, while a teaching for all claim elements within the reference is similarly lacking. A rejection lacking in either regard indicates that a *Prima Facie* case of obviousness has not been established.

Therefore, inadequate support exists for the rejection of Claim 2, wherein Applicant respectfully requests that the rejection of Claim 2, and the claims that depend therefrom, be withdrawn.

(c) Claim 40. Claim 40 is an independent claim describing "*an apparatus configured for communicating video and audio streams over a power-line communications network in response to being remotely controlled by a server*". This claim is cast in a mean-plus-function arrangement similar to that of Claim 1.

Claim 40 describes the apparatus as comprising a media device, power-line communications interface, means for wirelessly receiving control signals from a remote control unit, and means for rerouting portions of the control signals received from the remote control unit.

The support for the rejection of Claim 40 follows similar lines as that of Claim 1. Similar to Claim 1 and 2, the lack of support by Edson for receiving commands from a remote control and rerouting them selectively is admitted by the Examiner. Specifically, Claim 40 recites "*means for wirelessly receiving control signals at said media device from a remote control unit; and means for rerouting a portion of said control signals which have been received wirelessly at said media device from said remote control,*

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said portion including those control signals which are not directed for use by said media device, said control signals being rerouted over said power-line communications (PLC) network for receipt by a remote media server".

In an attempt to correct the above shortcoming, a combination with Streck is proposed. However, a number of problems exist with the proposed combination of references used in support of the rejection. These problems have been addressed at length in Claim 1, and are discussed as follows with regard to the above independent claim.

NOT all Claim Limitations are Taught by the Combination

The proposed combination of Edson and Streck does not meet all the limitations of Claim 40. In particular, the lack of teaching within Edson for *"rerouting of a portion of said control signal signals... at said media device"*, and for *"which are not directed for use by said media device"* are not overcome by the Streck reference. As plainly shown and described by Streck, all commands received from the remote control are retransmitted as RF. As already discussed in relation to Claim 1, both FIG. 10 and 11 of Streck depict signals from decoder 66 being converted to RF at transmitter 64. The commands are received the same by all devices, that is RF is received by receiver 54 and down converted by down converter 56 prior to receipt by TV 20. Therefore, ALL commands are retransmitted by Streck, not a select portion, and clearly not a portion of the commands in response to matching the specific media device.

Other Shortcomings of the Rejection

Streck cannot be properly combined with the Edson reference for a number of reasons. First, the Streck reference is not compatible with a network server arrangement as recited in the claims, or associated with a power line communications interface. Second, the proposal to modify Edson by Streck is based on a generalized concept put forth by the Examiner about the teachings of the instant application, and not in relation to the specific embodiments described in the cited references. An opinion about a general concept, which is supposedly present within Streck, is being

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put forth in the proposed combination. However, actually combining Streck with Edson would involve swapping the server aspects of Edson with an external RF retransmission mechanism of Streck as there are no other embodied aspects of Streck to be combined. Third, the Streck and Edson reference are directed at different objects and operating principles. Fourth, combining Streck with Edson would alter the objects and operating principles of the Edson reference and render the Edson reference unsuited for its intended purpose. Fifth, the only teaching or suggestion for making the combination appears to come from the instant application itself based on hindsight.

A suggestion or motivation is lacking from the references for making the proposed combination, while a teaching for all claim elements within the reference is similarly lacking. A rejection lacking in either regard indicates that a *Prima Facie* case of obviousness has not been established.

Therefore, inadequate support exists for the rejection of Claim 40, wherein Applicant respectfully requests that the rejection of Claim 40, and the claims that depend therefrom, be withdrawn.

(d) Claim 48. Claim 48 is an independent claim describing "*an apparatus configured for communicating video and audio streams over a power-line communications network in response to being remotely controlled by a server*". This claim is cast in a computer device arrangement similar to that of Claim 2.

Claim 48 describes the apparatus as comprising a media device, power-line communications interface, means for wirelessly receiving control signals from a remote control unit, and means for rerouting portions of the control signals received from the remote control unit.

The support for the rejection of Claim 48 follows similar lines as that of Claim 1. The lack of support provided by Edson for receiving commands from a remote control and rerouting them selectively as given in Claim 48 is admitted by the Examiner in similar manner as in Claims 1, 2 and 40. Specifically, Claim 48 recites programming for "*interpreting a command code received from a wireless remote control device*,

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recognizing that the command code does not match commands specific to said media device, rerouting said command by passing said command through said power-line communications (PLC) interface to said server which is configured for controlling the operation of a second media device connected over said power-line communications (PLC) network."

Applicant finds it noteworthy that all recited aspects of programming for Claim 48 are admittedly not found in the Edson reference. All the programming defining what the claimed invention performs is thus not found in the main reference relied upon.

In attempting to correct the shortcoming, a combination with Streck is proposed. However, a number of problems exist with the proposed combination of references used in support of the rejection. These problems have been addressed at length in Claim 1, and are discussed as follows with regard to the above independent claim.

NOT all Claim Limitations are Taught by the Combination

The proposed combination of Edson and Streck does not meet all the limitations of Claim 48. In particular, the lack of teaching within Edson for *"interpreting a command code"*, ...*"recognizing that the command code does not match commands specific to a media device"* and ...*"rerouting said command by passing said command through said power-line communications (PLC) interface"*. The lack of any teaching for this combination of programmed functions, as clearly missing from the Edson reference, are not corrected by a combination with the teachings of the Streck reference. As plainly shown and described by Streck, however, all commands received from the remote control are retransmitted as RF. As already discussed in relation to Claim 1, both FIG. 10 and 11 of Streck depict signals from decoder 66 being converted to RF at transmitter 64. The commands are received the same by all devices, that is RF is received by receiver 54 and down converted by down converter 56 prior to receipt by TV 20. Therefore, ALL commands are retransmitted by Streck, not a select portion, and clearly not a portion of the commands in response to those whose command codes do not match commands specific to said media device.

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Other Shortcomings of the Rejection

Streck cannot be properly combined with the Edson reference for a number of reasons. First, the Streck reference is not compatible with a network server arrangement as recited in the claims, or associated with a power line communications interface. Second, the proposal to modify Edson by Streck is based on a generalized concept put forth by the Examiner about the teachings of the instant application, and not in relation to the specific embodiments described in the cited references. An opinion about a general concept, which is supposedly present within Streck, is being put forth in the proposed combination. However, actually combining Streck with Edson would necessarily replace the server aspects of Edson with an external RF retransmission mechanism of Streck as there are no other embodied aspects of Streck to be combined. Third, the Streck and Edson reference are directed at different objects and operating principles. Fourth, combining Streck with Edson would alter the objects and operating principles of the Edson reference and render the Edson reference unsuited for its intended purpose. Fifth, the only teaching or suggestion for making the combination appears to come from the instant application itself based on hindsight.

A suggestion or motivation is lacking from the references for making the proposed combination, while a teaching for all claim elements within the reference is similarly lacking. A rejection lacking in either regard indicates that a *Prima Facie* case of obviousness has not been established.

Therefore, inadequate support exists for the rejection of Claim 48, wherein Applicant respectfully requests that the rejection of Claim 48, and the claims that depend therefrom, be withdrawn.

(e) Claims 3-16, 19-21, 27, 41-47, 49, 53, 54 and 59-62. Claims 3-16, 19-21, 27, 41-47, 49, 53, 54 and 59-62 are the dependent claims with this group of claims.

In view of the patentability asserted by the Applicant for the parent claims, these dependent claims should be considered *a fortiori* allowable.

However, a number of these claims provide independent patentable aspects

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which have not been properly considered in the rejection, an illustrative example follows.

Claim 19. Dependent Claim 19 recites additional aspects of Claims 2, and in particular the programming associated with the first media device as recited in Claim 2, as follows:

"...programming associated with said media device for, interpreting a command code received from a wireless remote control device; recognizing that the command code does not match commands specific to said media device; and rerouting said command by passing said command through said power-line communications (PLC) interface to said server which is configured for controlling the operation of a second media device connected over said power-line communications (PLC) network."

Edson, as admitted by the Examiner, does not contain teachings in support of the above claim elements. However, the support for Claim 19 indicates that both Edson and Streck anticipate the teachings of this dependent claim which contains the language "wherein select remote control operating commands, which are not utilized by said first media device receiving the commands from the remote control unit, are routed to a server for controlling additional media devices operably coupled to said server". This describes in more detail an aspect admittedly not found in the Edson reference, and yet the rejection incorrectly indicates that this aspect is taught by both references.

Therefore, as this group of dependent claims should be considered *a fortiori* allowable, Applicant respectfully requests that the rejection of these claims be withdrawn.

2. Rejection of Claim 17-18, 22-26, 28-39, 50-52 under 35 U.S.C. § 103(a).

Claims 17-18, 22-26, 28-39, 50-52 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Edson (U.S. Pat. No. 6,526,581) and Streck et al. (U.S. Pat. No. 5,045,948), in view of a combination of references including Filisan (WO 99/37092), Manis et al. (U.S. Publication No. 2004/0006484), Ostrover (U.S. Pat. No. 6,351,596), Gray (U.S. Publication No. 2004/0103434), Gerzberg et al. (US Publication No.

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2002/0012353), Na (U.S. Pat. No. 5,296,931), and Bullock et al. (U.S. Pat. No. 6,246,868).

The rejected claims within this aggregation of claim groups [Examiner properly discussed claims in a number of groups based on respective reference] are dependent claims within the instant application. Applicant contends that patentability has been demonstrated for these independent claims, wherein these dependent claims should be considered *a fortiori* allowable.

Therefore, Applicant respectfully requests that the rejection of dependent claims 17-18, 22-26, 28-39, 50-52 be withdrawn.

3. Amendment of Claims 1 and 40.

Claim 1. Independent Claim 1 has been amended to correct the phrasing of a claim element from "*and controlling*" to a more precise "*for controlling*"; which more clearly relates back to the prior text.

Claim 40. Independent Claim 40 has been amended to strike an unnecessary word toward improving clarity. Specifically, the word "those" was stricken from the phrase "...said portion including ~~these~~ control signals which are not directed for use by said media device".

4. Conclusion.

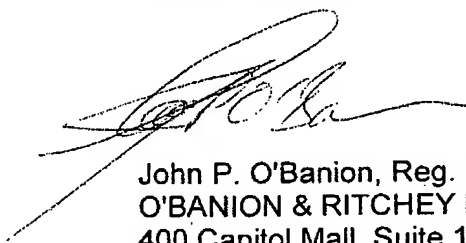
Based on the foregoing, Applicant respectfully requests that the various grounds for rejection in the Office Action be reconsidered and withdrawn, and that a Notice of Allowance be issued for the present Application to pass to issuance.

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In the event any further matters remain at issue with respect to the present Application, Applicant respectfully requests that the Examiner please contact the undersigned below at the telephone number indicated in order to discuss such matter prior to the next action on the merits of this Application.

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Respectfully submitted,



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